

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Scott Beers

Serial No. : 10/612,187 Art Unit:

Filed: July 2, 2003 Examiner:

For : SUBSTITUTED HETEROARYL AND HETEROCYCLIC COMPOUNDS

USEFUL IN TREATING INFLAMMATORY DISORDERS

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John W. Harbour

Deposit)

(Name of applicant, assignee, or Registered Representative)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information X Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with \square the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

<pre>Statement in Accordance with §1.97(e)</pre>
(attached); or
Please charge Deposit Account No. 10-
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Disclosure Statement is being filed after the mailing date of
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Applicant(s) hereby petition(s) for consideration of this
Information Disclosure Statement. Included are: Statement in
Accordance with §1.97(e) as set forth below and the fee of
\$180.00 as set forth in §1.17(p).
igties Copies of each of the references listed on the
attached Form PTO-1449 are enclosed herewith.
Copies of references listed on the attached Form PTG are enclosed herewith EXCEPT THAT:
In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner copies are not enclosed herewith.
If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98
(a)(2). (The U.S. patents and each U.S. patent application
publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/PRD-17/JWH. This form is submitted in triplicate.

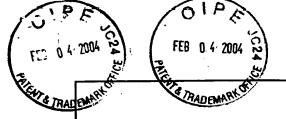
Respectfully submitted,

Req. No. 31,365

Attorney for Applicants

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DATED: 2/2/04



SUBMISSION UNDER MPEP 609 D

Page 1 of 1

Application Number	10/612,187
Filing Date	July 2, 2003
First Named Inventor	Scott Beers
Group Art Unit	
Examiner Name	
Attorney Docket Number	PRD-0017

U.S. PATENT DOCUMENTS

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RADE Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

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Application Number	10/612,187
Filing Date	July 2, 2003
First Named Inventor	Scott Beers
Group Art Unit	
Examiner Name	
Attorney Docket Number	PRD-0017
	1

FOREIGN PATENT DOCUMENTS Date of Publication Pages, Columns, Lines, Foreign Patent Document of Cited Document where relevant Name of Patentee or passages or relevant Examiner Cite mm-dd-yyyy Applicant of Cited Document figures appear Initials KindCode5 Office³ Number⁴ No.1 05-09-1996 96/13264 Α Eli Lilly and Company wo 04-16-1998 98/15274 Eli Lilly and Company wo Α Eli Lilly and Company 04-15-1999 Α wo 99/18091

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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
mitais	110.	MALAMAS M.S. et al., "Azole phenoxy hydroxyureas as selective and orally active inhibitors fo 5-lipoxygenase", Journal of Medicinal Chemistry, Vol. 39, No. 1, January 5, 1996	
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Signature	Considered	

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.